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A

Docket No. 5044

Box Patent Application
Assistant Commissioner of Patents
Washington, D.C. 20231

jc530 U.S. PTO
09/457796
12/09/99

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of :

Inventor(s): Gregory Mathus, Daniel J. Seguin and Victor Torti

For (title): **TUBE RACK**

1. Type of Application

- ☒ Utility
☐ Design

2. Benefit of Prior U.S. Application(s) Under 35 U.S.C. §120

This application is a:

- ☐ Divisional
☐ Continuation
☐ Continuing Patent Application (CPA)
☒ Continuation-in-part (CIP),

and hereby claims benefit under 35 U.S.C. §120 to the following applications:

SERIAL NUMBER	FILING DATE
09/241,490	02/02/99

3. Benefit of Non-U.S. Application Under 35 U.S.C. §119(a)-(d)

This application claims priority under 35 U.S.C. §119(a)-(d) to the following foreign application(s) and/or inventor certificate(s):

COUNTRY	APPLN. NUMBER	FILING DATE
None		

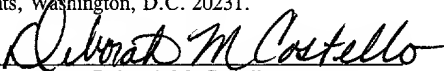
Certified copy(ies) of the application(s) and/or inventor certificate's from which priority is claimed:

- ☐ is(are) attached;
☐ will follow.

EL394290259US

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. §1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date December 9, 1999 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL394290259US addressed to the: Assistant Commissioner of Patents, Washington, D.C. 20231.


Deborah M. Costello

12/9/99

4. **Benefit of Provisional Application Under 35 U.S.C. §119(e)**

This application claims priority to the following provisional application(s):

SERIAL NUMBER	FILING DATE
None	

5. **Papers Enclosed Which Are Required For Filing Date Under 37 C.F.R. §1.53**

19 Pages of Specification, including claims abstract and coversheet

12 Sheets of Drawing

6. **Additional Papers Enclosed**

- ☒ Declaration and Power of Attorney
☐ Preliminary Amendment
☐ Information Disclosure Statement (37 CFR 1.98), Form PTO-1449 and a copy of each cited reference
☒ Assignment and Form PTO-1595
☐ Small Entity Declaration
☐ Declaration of Biological Deposit
☐ Submission of "Sequence Listing" computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequences.
☐ Other _____

7. **Application Filing Fee Calculation**

A. ☒ Utility Application

FEE CALCULATION:

Total Claims: 25-20 = 5 × \$18 = \$90.00

Independent Claims: 3 - 3 = 0 × \$78 = \$

Basic Fee: \$760.00

Multiple-Dependent-Claim Fee : \$

Total of the Above Calculations:..... \$850.00

- ☐ Amendment canceling extra claims enclosed.
☐ Amendment deleting multiple dependencies enclosed.
☐ Fee for extra claims is not being paid at this time.

B. ☐ Design application - \$310 \$
Application Filing Fee Sub-Total \$

C. ☐ Less 50% reduction for small entity..... \$

D. ☐ Non-English Specification - \$130..... \$

TOTAL FILING FEE \$ 850.00

8. **Payment**



Enclosed



Check in the amount of the Total Filing Fee set forth above.



Charge Account No. 19-0079 in the amount of Total Filing Fee set forth above. A duplicate of this transmittal is attached.



Not Enclosed

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 and 1.17 that may be required by this paper or any paper filed in connection with this Patent Application, or refund any overpayment to our Deposit Order Account No. 19-0079.

Respectfully submitted,



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UNITED STATES PATENT APPLICATION

of

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and

VICTOR TORTI

for

TUBE RACK

66027-36250

TUBE RACK

CROSS REFERENCE TO RELATED APPLICATIONS

5 This application is a continuation-in-part (CIP) of co-pending application designated serial number 09/241,490, filed February 2, 1999 and entitled "Tube Rack". This application is hereby incorporated by reference.

BACKGROUND OF THE INVENTION

10 The present invention relates to test tube racks, and in particular to a tube rack having a multi-positional cover, wherein the rack is capable of receiving a variety of different tube styles and sizes.

 Conventional covered test tube racks suffer from various disadvantages that limit their usage under varying laboratory and shipping conditions. For example, some racks lack a mechanism for securing the covers in their closed positions, thus presenting a danger that the cover may be inadvertently opened during shipment. Other covers are permanently hinged to the rack bases, which precludes or at least significantly limits their usage with robotic test equipment.

 The present invention either obviates or at least significantly minimizes the above described problems by providing a test tube rack with a cover that may be locked in its closed position for
20 shipment from one location to another, while it may be vertically removed from the rack base by robotic test equipment, and while it may be manually opened and closed while remaining pivotally connected to and supported by the rack base.

Other features of the invention include its capability of being used with a variety of different test tube types and sizes.

SUMMARY OF THE INVENTION

5 Briefly, according to the present invention, a tube rack comprises a base with an array of vertical openings configured and dimensioned to receive a plurality of tubes, with the upper ends of the tubes being accessible at the top surface. The base includes base sidewalls that each include a co-axial trunnion extending from the associated sidewall. The tube rack also includes a rotatable and removable cover having a front wall, a back wall and first and second sidewalls, wherein the first and second sidewalls each include an associated notch open on a bottom surface thereof to allow the cover to be lowered onto the base, such that each of the notches rests on its associated trunnion and may be (i) vertically raised from its closed position on the trunnions and (ii) rotated about the trunnions from its closed position to allow access to the array of openings. Each of the notches includes a trunnion travel surface and a ledge surface and the ledge surface engages its associated trunnion to limit rotation of the cover beyond its full cover position.

Each of the openings comprises a plurality of support pads positioned within the opening to vertically support the tube within its associated opening. Each of the pads preferably includes a chamfered concave surface that supportably engages the tube, while providing flow paths through which air may pass through the openings adjacent to the tube.

20 The tube rack also comprises first and second slide latches each having a lengthwise tongue. The base includes first and second base sidewalls that each include a slide surface

comprising a lengthwise groove that slidably mates with one of the lengthwise tongues of an associated one of the slide latches, such that each of said slide latches moves lengthwise over its associated slide surface between latched and unlatched positions.

Advantageously, the rack of the present invention provides a convenient tube holder with
5 a cover than can be easily manipulated by automated handling equipment.

These and other objects, features and advantages of the present invention will become more apparent in light of the following detailed description of preferred embodiments thereof, as illustrated in the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of a tube rack having a cover in a partial open position above
a base;

FIG. 2 is a perspective view of the tube rack with the cover in a closed position over the
base;

FIG. 3 is a perspective view of the tube rack with the cover removed from the base;

FIG. 4 is a top view of the base;

FIG. 5 is a side view of the cover;

FIG. 6 is a perspective view illustrating the cover in the full open position over the base;

FIG. 7 is a top view of a portion of the base unit illustrating several of the plurality of
20 openings;

FIG. 8 is a top view of a single opening populated with a tube;

FIG. 9 is a sectional view taken along line A-A in FIG. 7 to illustrate the depth of pads within the opening;

FIG. 10 is a sectional view of the base taken along line B-B shown in FIG. 6;

FIGs. 11A and 11B are perspective views of a sliding latch; and

FIG. 12 is a perspective view of the underside of the cover.

DETAILED DESCRIPTION OF THE INVENTION

FIG. 1 is a perspective view of a tube rack 20 according to the present invention. The tube rack comprises a base 22 having an array of vertical openings 26-30. The rack 20 also includes a rotatable and removable cover 31 that cooperates with the base 22. As shown, the cover 31 is in a partial open position above the base 22.

FIG. 2 is a perspective view of the tube rack 20 with the cover 31 in a closed position over the base 22.

FIG. 3 is a perspective view of the tube rack with the cover removed from the base.

Referring again to FIG. 1, the openings 26-30 are configured and dimensioned to receive a plurality of tubes (not shown), with upper ends of the tubes being accessible at the top surface 24. The base 22 also includes sidewalls 32, 34. Each of the sidewalls 32, 34 includes an associated co-axial trunnion 36, 38, respectively, extending from its associated sidewall. Trunnion 38 is not visible in the FIG. 3.

FIG. 4 is a top view of the base 22 illustrating the co-axial relationship of the trunnions 36, 38.

Referring to FIGs. 1-3, the rotatable and removable cover 31 includes a front wall 42, a back wall 44, first and second side walls 46, 48 respectively, and a top surface 50. The first and second side walls 46, 48 each include an associated notch 52, 54 having an open bottom surface to allow the cover to be lowered onto the base. Each of the notches is wide enough to allow the notch to rest on its associated trunnion. Each of the notches rests on its associated trunnion and from this position the cover may be (i) vertically raised from its closed position or (ii) rotated about the trunnions between its closed position and a full open position to allow access to the array of openings.

FIG. 5 is a side view of the cover illustrating the first sidewall 46. The notch 52 includes a trunnion travel surface 56 and a ledge surface 58. The notch 54 (not shown) located in the second sidewall 48 (not shown) includes a similar trunnion travel surface and ledge surface as shown in FIGs. 2 and 5. The details of the trunnion travel surface and the ledge surface shall now be discussed.

Referring to FIGs. 1, 2 and 5, to move the cover 31 between the open and closed positions, the cover 31 is rotated relative to the base 22 such that the trunnion travel surface 56 slides over the top surface of its associated trunnion. As the cover 31 is rotated to the open position, the ledge surface 58 engages/abuts against its associated trunnion to prevent rotation of the cover 31 beyond the full open position. FIG. 6 is a perspective view illustrating the cover in the full open position over the base. Notably, the engagement/abutment of the ledge surface 58 and the trunnion 36 prevents rotation of the cover 31 beyond the full open position. In addition, in the full open position the cover 31 can not be removed from the base 22. Specifically, the cover

also includes a first tab 60 that extends from the corner formed by the backwall 44 and the first sidewall 46 of the cover, and a second tab (not shown) that extends from the corner formed by the intersection of the back wall and the second sidewall 48. When the cover has been rotated into the full open position, the tabs extend horizontally below their associated trunnion. In this position the tabs and the ledge surface act to lock the cover to the base. That is, the tabs (e.g., tab 60) prevents the cover from being vertically removed, while the ledge surface (e.g., ledge surface 58) prevents the cover from being horizontally removed from the base when it is in the full open position.

FIG. 7 is a top view of a portion of the base unit illustrating several of the plurality of openings. Each of the openings includes a plurality of rigid support pads 80-83 to vertically support a tube placed therein. Each of the pads 80-83 comprises preferably a chamfered concave surface 86-89 respectively, that supportably engages the tube within the opening. Significantly, each of the pads 80-83 are sized to provide sufficient support to the tube and withstand downward forces on the pads when a cover (not shown) is placed over the tubes in the rack. An example of a cover is disclosed in co-pending application designated serial number 09/195,326 entitled "Closure Device for Laboratory Receptacles", assigned to the assignee of the present invention. This application is hereby incorporated by reference. The pads engage a portion of the tube exterior, thus leaving air flow paths open between the bottom and top of the base. Arranging the pads in this manner allows air to be passed along exterior surfaces of the tubes to thaw, cool or heat the contents of the tubes while still in the tube rack 20. In an alternative embodiment, rather

than a chamfered concave surface, the pad surface may be non-chamfered (e.g., vertical) and/or non-concave (e.g., straight).

FIG. 8 is a top view of a single opening populated with a tube 92. Notably, there are air flow paths 94-97 in corners of the tube opening that pass from the top of the base to the bottom of the base.

FIG. 9 is a sectional view taken along line A-A in FIG. 8 to illustrate the depth of pads within the opening. In an alternative embodiment, it is contemplated that the pads may be located in the corners, so the air flow paths are located along the sidewalls rather than in the corners.

FIG. 10 is a sectional view of the base 22 taken along line B-B shown in FIG. 6. Notably, an opening within the base is populated with the tube 92. The tube includes an enclosed sidewall that includes a plurality of segments having different cross sections. The segments include a first cylindrical sidewall segment 101 integral with tube bottom surface 102 and a second cylindrical sidewall segment 103. The segments also include a truncated conical segment 104 located between the first and second cylindrical sidewall segments 101, 103, and having an increasing diameter closer to the open top 105 of the tube. The tube is lowered into the opening until the truncated conical segment 104 of the tube rest against the chamfered concave surfaces of the support pads such that the tube is supportably engaged within the opening.

Referring again to FIG. 1, the tube rack 20 also includes slide latches 110, 112 that are used to lock the cover 31 to the base 22 in the closed position. As shown in FIG. 1, the slide latches are in an outward position, which allows the cover to be rotated from the closed position towards the full open position or lifted off vertically. FIG. 2 illustrates the rack with the latches

110, 112 slid into an inward position to lock the cover to the base. The latch 112 can not be seen in this view since it has been slid inward. Each of the latches includes a finger 114, 116 respectively that prevents the cover 31 from being raised when the associated latch is in the inward position. Finger 116 can not be seen in this view.

5 FIG. 11A is a perspective view of the latch 110. The latch includes a top surface 118 having a projection 120 that provides a detent so the latch is not withdrawn from the base, unless a force in excess of a predetermined amount is used. Not only does this projection 120 make it difficult for a user to withdraw the latch 110 too far, it also ensures that automated handling equipment can not withdraw the latch too far (assuming of course that the automated handling equipment does not use more than the predetermined amount of force). The latch 110 also includes sidewall projections 122, 124 that assist in maintaining the latch in its open or closed position. That is, when the latch 110 is in the open position sidewall projection 122 ensures that the latch does not slide inward in the absence of sufficient force by a user or automated handling equipment. When the latch is in the closed position to secure the cover to the base, sidewall projection 124 prevents the latch from sliding outward (i.e., open) in the slide in the absence of the requisite amount of withdrawal force by a user or automated handling equipment. The latches also each include a stop 121 that makes face-to-face contact with a base wall surface 123 (FIG. 1).

FIG. 11B is a perspective view of the opposite side of the latch 110 illustrated in FIG. 11A.

20 Referring again to FIG. 7, it should be noted that the latch 110 is not shown in this view. However, this view does illustrate that the base 22 includes a slide surface 122 comprising a

groove 124 that receives a matching tongue 126 (FIGs. 11A and 11B) located on the latch 110 (FIGs. 11A and 11B). The latch 110 slides over the surface 122.

FIG. 12 is a perspective view of the underside of the cover 31. The cover includes first and second bosses 128, 130 located along sidewalls 46, 48 respectively. Each boss includes an associated boss support surface 132, 134 that rest on base support surface 136, 138 (see FIG. 4) respectively. Each boss also includes a finger passage (e.g., 140) through which its associated latch finger (e.g., 114 - FIGs. 2, 11A and 11B) passes to lock the cover in the closed position (see FIG. 2). Along with providing a mechanism for locking the cover to the boss, the bosses also provide support for the sidewalls 46, 48.

An additional feature of the tube rack of the present invention is that the shape of the cover and base units allows the racks to be stacked atop one another.

Although the present invention has been shown and described with respect to several preferred embodiments thereof, various changes, omissions and additions to the form and detail thereof, may be made therein, without departing from the spirit and scope of the invention.

What is claimed is:

CLAIMS

1. A tube rack, comprising:

a base having an array of openings extending vertically therebetween, said openings being configured and dimensioned to receive a plurality of tubes, with upper ends of the tubes being accessible at said top surface, wherein said base includes sidewalls that each include a co-axial trunnion extending from said associated sidewall; and

a rotatable and removable cover having a front wall, a back wall, first and second cover sidewalls and a top surface, said first and second cover sidewalls each include an associated notch open on a bottom surface thereof to allow said cover to be lowered onto said base, such that each of said notches rests on its associated said trunnion and may be (i) vertically raised from its closed position on said trunnions or (ii) rotated about said trunnions between its closed position and a full open position to allow access to said array of openings, wherein each of said notches includes a trunnion travel surface and a ledge surface, wherein said ledge surface engages its associated trunnion to limit rotation of said cover beyond said full open position.

2. The tube rack of claim 1, wherein each of said openings comprises a plurality of support pads positioned within said opening to vertically support the tube within its associated said opening, wherein said pads comprise a surface that supportably engages the tube, while providing flow paths adjacent to the tube through which air may pass.

1 3. The tube rack of claim 2, wherein said surface comprises a chamfered concave surface.

1 4. The tube rack of claim 3, wherein said openings are substantially rectangular and each wall
2 of said opening includes one of said support pads.

1 5. The tube rack of claim 3, wherein said openings are substantially rectangular and at least
2 two of said facing walls includes one of said support pads.

1 6. The tube rack of claim 4, wherein said top surface is transparent.

7. The tube rack of claim 1, further comprising
a plurality of projecting support pads positioned within said opening closer to said bottom
surface than to said top surface and integral with its associate opening sidewall, to vertically
support the tube within its associated said opening, wherein said pads comprise a chamfered
concave surface that supportably engages the tube.

1 8. The tube rack of claim 7, wherein said projecting support pads are positioned within said
2 openings to allow flow paths extending between said top and bottom surfaces through which air
3 may pass adjacent to the tube between said top and bottom surfaces.

1 9. The tube rack of claim 7, said projecting support pads are symmetrically positioned within
2 said openings such that each of said projecting support pads has an associated opposing projecting
3 support pads, while allowing flow paths extending between said top and bottom surfaces through
4 which air may pass between said top and bottom surfaces adjacent to a tube within the opening.

1 10. The tube rack of claim 1, further comprising:
2 first and second slide latches each having a lengthwise tongue; and
3 wherein said base comprises first and second base sidewalls that each include a slide surface
4 comprising a lengthwise groove that slidably mates with one of said lengthwise tongues of an
5 associated one of said slide latches, such that each of said slide latches moves lengthwise over its
6 associated said slide surface between latched and unlatched positions.

1 11. The tube rack of claim 10, wherein each of said slide latches comprises:
2 a main body including a top surface having a top projection and an inner sidewall having
3 first and second sidewall projections, wherein said top projection acts to prevent said associated
4 slide latch from being withdrawn too far with respect to its associated said slide surface, and said
5 first and second sidewall projections assist in maintaining their associated said slide latch in its
6 open or closed position.

1 12. The tube rack of claim 11, wherein said slide latches each include a finger that extends
2 lengthwise from said main body to prevent said cover from being removed from said base when
3 said latch is in its closed position.

1 13. The tube rack of claim 12, wherein said cover includes first and second bosses located on
2 an interior portion of said cover, said bosses each include a finger passage through which an
3 associated one of said fingers passes to lock the cover in the closed position.

1 14. The tube rack of claim 13, wherein said bosses form an integral unitary structure with said
2 first and second cover sidewalls.

1 15. The tube rack of claim 14, wherein each of said bosses includes an associated boss support
2 surface that rests on an associated base support surface when said cover is in the full closed
3 position.

1 16. A test tube rack, comprising:
2 a base having an array of openings extending therebetween, said openings being configured
3 to receive a plurality of tubes, with upper ends of the tubes being accessible at said top surface,
4 wherein said base includes sidewalls that each include a co-axial trunnion extending from said
5 associated sidewall, each of said openings comprises a plurality of support pads positioned within
6 said opening to vertically support the tube within its associated said opening, wherein said pads

7 comprise a chamfered concave surface that supportably engages the tube, while providing flow
8 paths adjacent to the tube through which air may pass;

9 a rotatable and removable cover having a front wall, a back wall, first and second cover
10 sidewalls and a top surface, said first and second cover sidewalls each include an associated notch
11 open on a bottom surface thereof to allow said cover to be lowered onto said base, such that each
12 of said notches rests on its associated said trunnion and may be (i) vertically raised from its closed
13 position on said trunnions or (ii) rotated about said trunnions between its closed position and a full
14 open position to allow access to said array of openings, wherein each of said notches includes a
15 trunnion travel surface and a ledge surface, wherein said ledge surface engages its associated
16 trunnion to limit rotation of said cover beyond said full open position;

17 first and second slide latches each having a lengthwise tongue; and
18 wherein said base comprises first and second base sidewalls that each include a slide surface
19 comprising a lengthwise groove that slidably mates with one of said lengthwise tongues of an
20 associated one of said slide latches, such that each of said slide latches moves lengthwise over its
21 associated said slide surface between latched and unlatched positions.

1 17. The test tube rack of claim 16, wherein said support pads are symmetrically positioned
2 within said openings such that each of said support pads has an associated opposing said support
3 pad while allowing flow paths extending between said top and bottom surfaces through which air
4 may pass between said top and bottom surfaces adjacent to a tube within the opening.

1 18. The test tube rack of claim 17, wherein said cover and base are different color shades to
2 allow a machine vision device to distinguish between said cover and said base.

1 19. The test tube rack of claim 17, wherein said cover, said latches and base are different color
2 shades to allow a machine vision device to distinguish between said cover, said base and said
3 latches.

1 20. A test tube rack, comprising:

2 a base having an array of vertical openings extending therebetween, said openings being
3 configured to receive a plurality of tubes, with upper ends of the tubes being accessible at said top
4 surface, wherein said base includes sidewalls, and each of said openings comprises means for
5 supporting the tube within its associated said opening while providing flow paths adjacent to the
6 tube through which air may pass;

7 a cover having a front wall, a back wall, first and second cover sidewalls and a top
8 surface, wherein said cover rotatably mates with said base such that said cover may be rotated
9 between open and closed positions;

10 first and second slide latches each having a lengthwise tongue; and

11 wherein said base comprises first and second base sidewalls that each include a slide
12 surface comprising a lengthwise groove that slidably mates with one of said lengthwise tongues
13 of an associated one of said slide latches, such that each of said slide latches moves lengthwise
14 over its associated said slide surface between a latched position that prevents said cover from being

15 rotated from the closed position to the open position, and a latched position that allows said cover
16 to be rotated from the closed position to the open position.

1 21. The test tube rack of claim 20, wherein each of said latches comprises a top surface having
2 a projection that provides said detent so said latch is not withdrawn from said base unless a force
3 in excess of a predetermined amount is used.

1 22. The test tube rack of claim 21, wherein each of said latches includes a sidewall comprising
2 (i) a first projection that maintains said latch in its open position ensuring that said latch does not
3 slide inward in the absence of sufficient force applied by a user or automated handling equipment,
4 and (ii) a second projection that maintains said latch in its closed position ensuring that said latch
5 does not slide outward in the absence of the requisite amount of withdrawal force by the user or
6 automated handling equipment.

1 23. The test tube rack of claim 22, wherein each of said latches comprises a main body and a
2 finger that projects lengthwise from said main body.

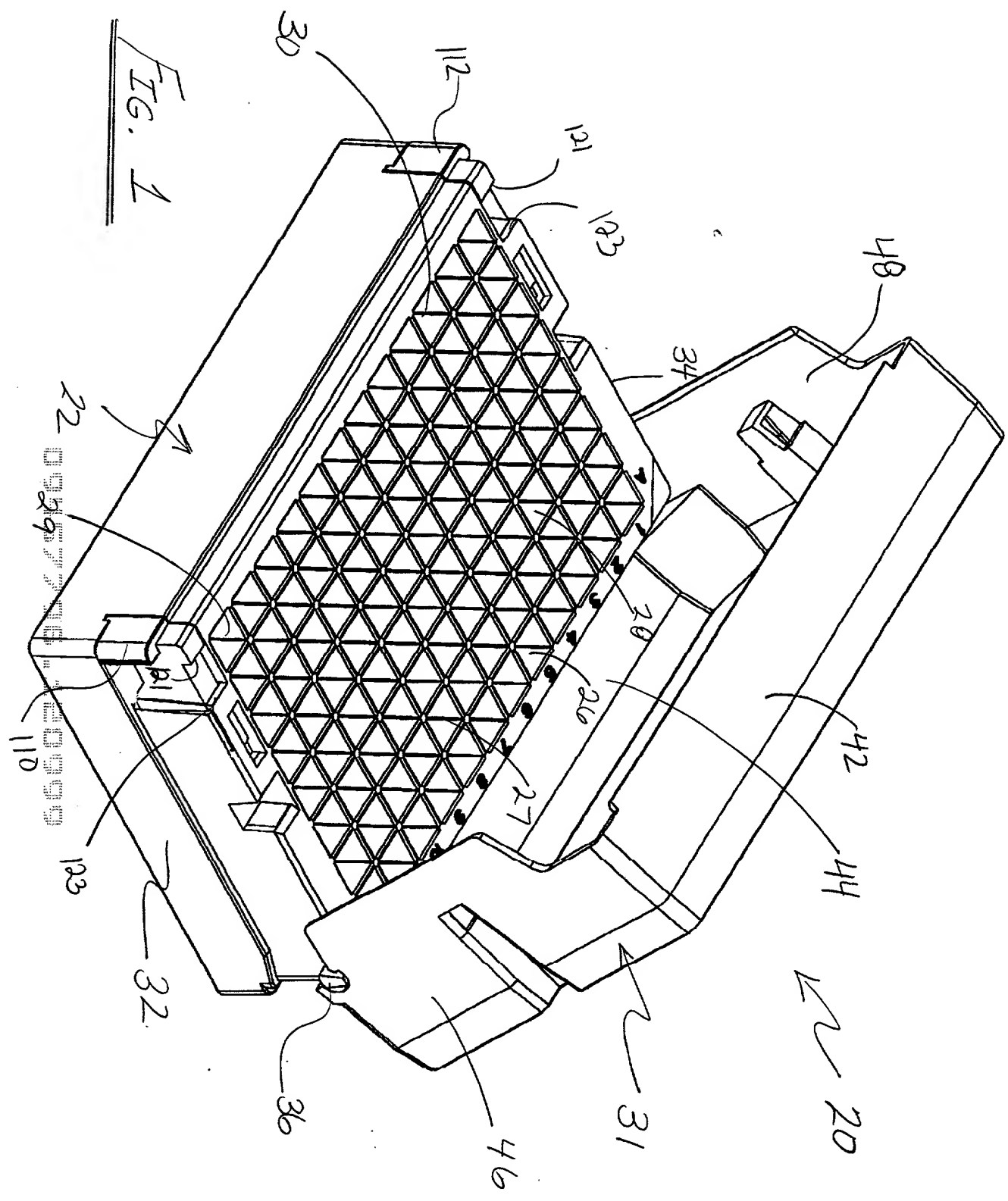
1 24. The test tube rack of claim 23, wherein said cover includes a first boss along the interior
2 of said first cover sidewall and a second boss along the interior of said second cover sidewall, said
3 first and second bosses include first and second boss support surfaces respectively that rest on base
4 support surfaces.

1 25. The test tube rack of claim 24, wherein each of said bosses includes a finger passage
2 through which its associated said finger passes to lock said cover in the closed position with
3 respect to said base.

ABSTRACT

A tube rack comprises a base having an array of vertical openings extending therebetween, the openings being configured and dimensioned to receive a plurality of tubes, with the upper ends of the tubes being accessible at the top surface. The base includes base sidewalls that each include a co-axial trunnion extending from the associated sidewall. The tube rack also includes a rotatable and removable cover having a front wall, a back wall and first and second sidewalls, wherein the first and second side walls each include an associated notch open on a bottom surface thereof to allow the cover to be lowered onto the base, such that each of the notches rests on its associated trunnion and may be (i) vertically raised from its closed position on the trunnions and (ii) rotated about the trunnions from its closed position to allow access to the array of openings, wherein each of the notches includes a trunnion travel surface and a ledge surface and the ledge surface engages its associated trunnion to limit rotation of the cover beyond its full cover position.

Each of the openings comprises a plurality of support pads positioned within the opening to vertically support the tube within its associated opening. Each of the pads includes a chamfered concave surface that supportably engages the tube, while providing flow paths through which air may pass through the openings adjacent to the tube.



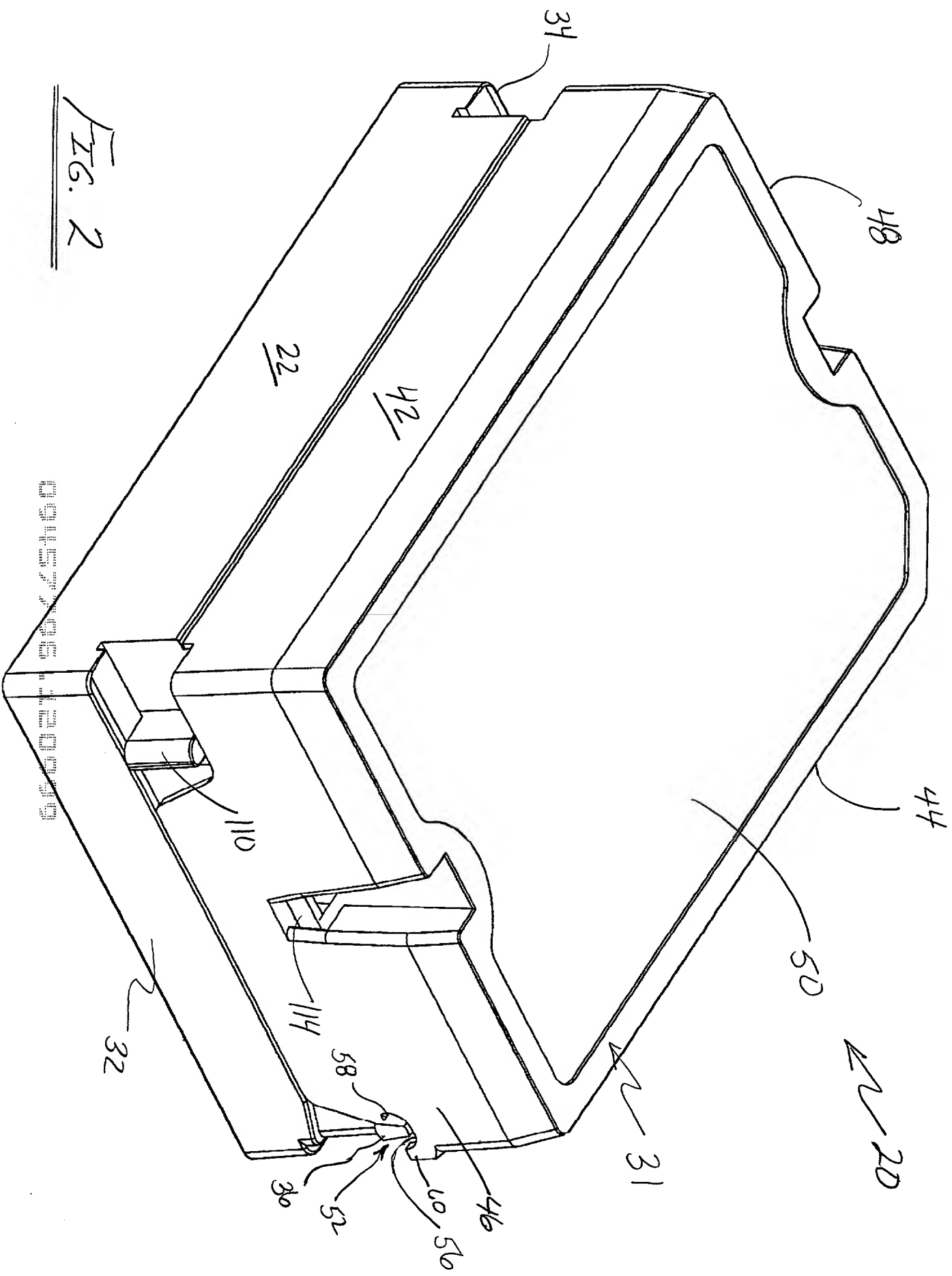


FIG. 2

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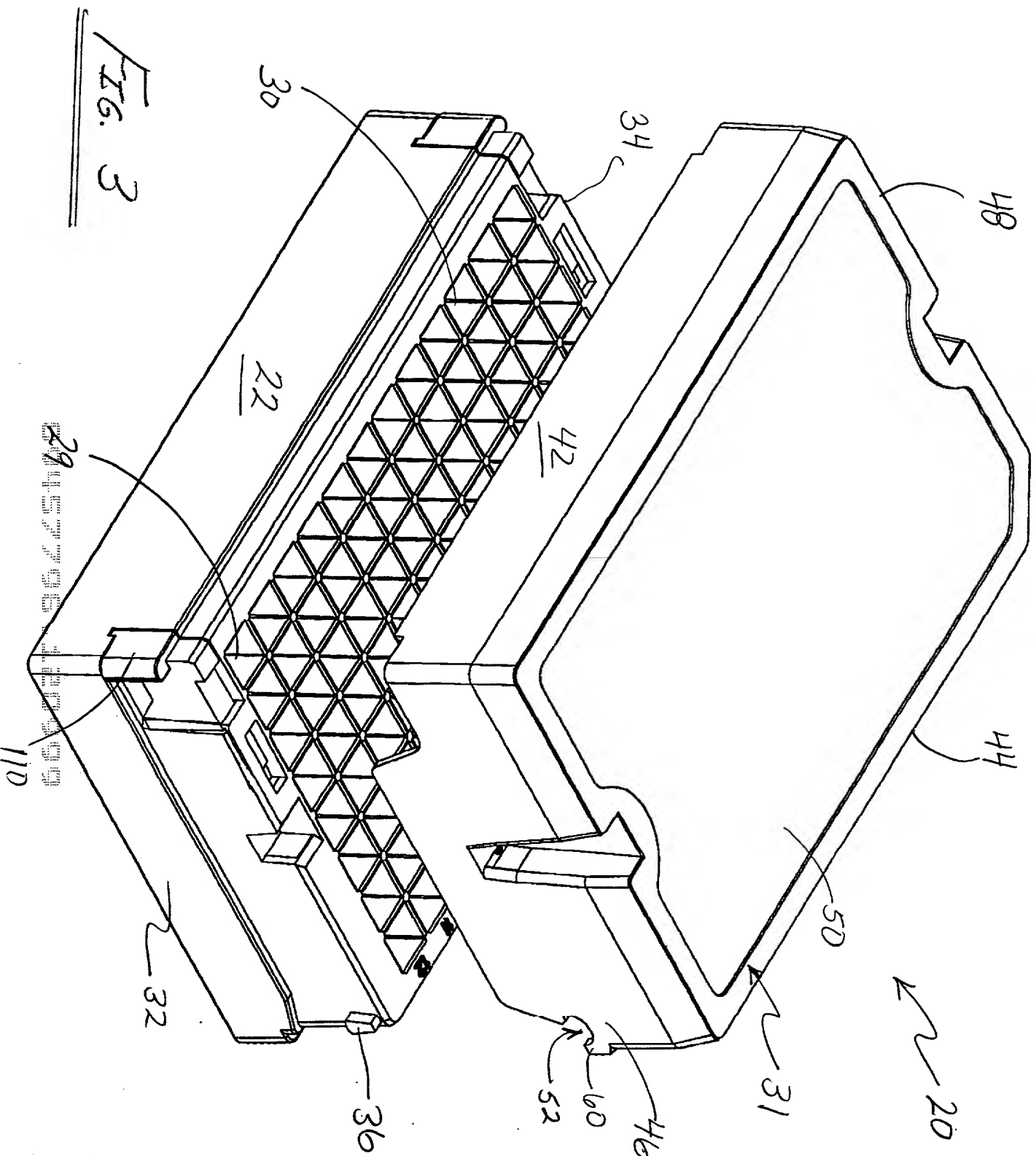


Fig. 3

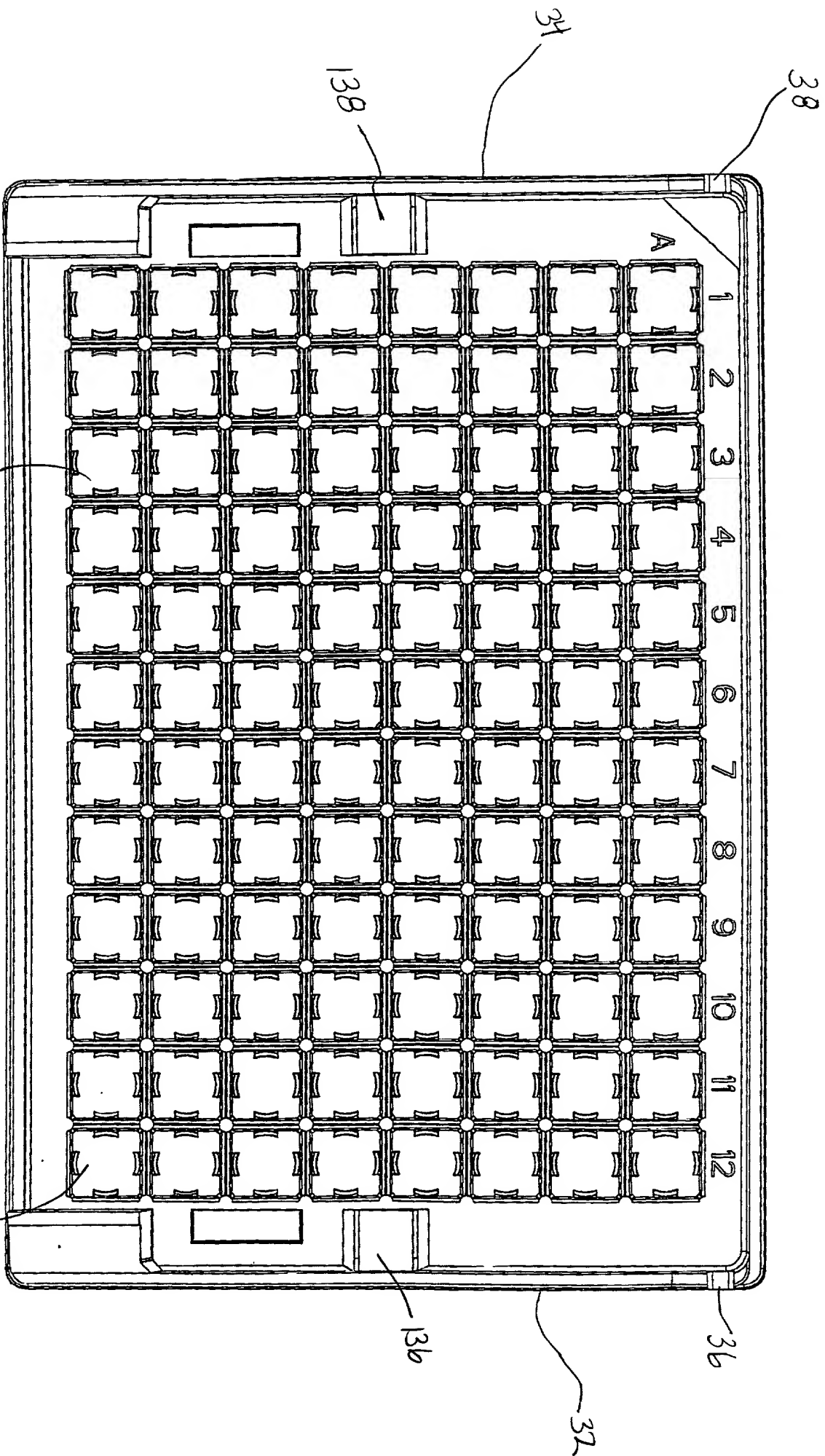


FIG. 4

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29

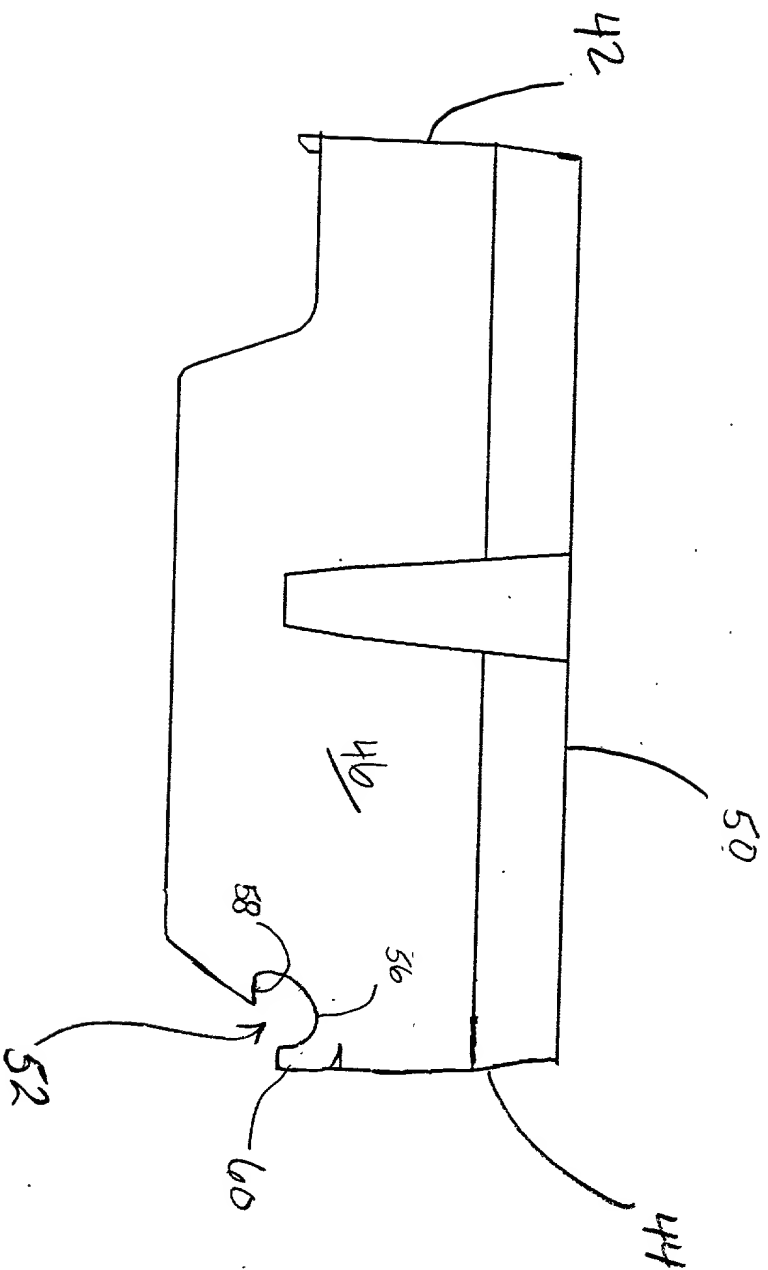
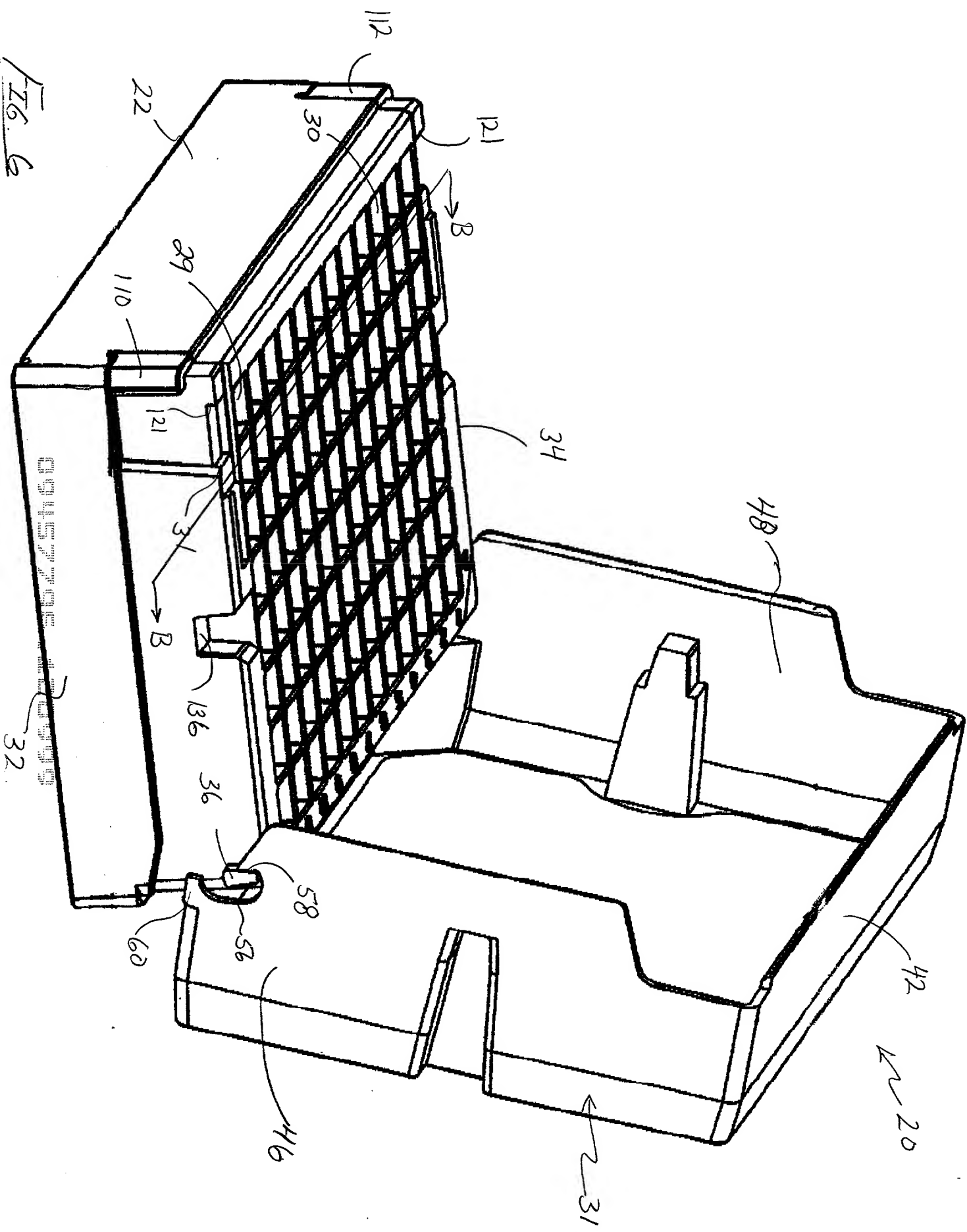


FIG. 5

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FIG. 6



66027 5645460

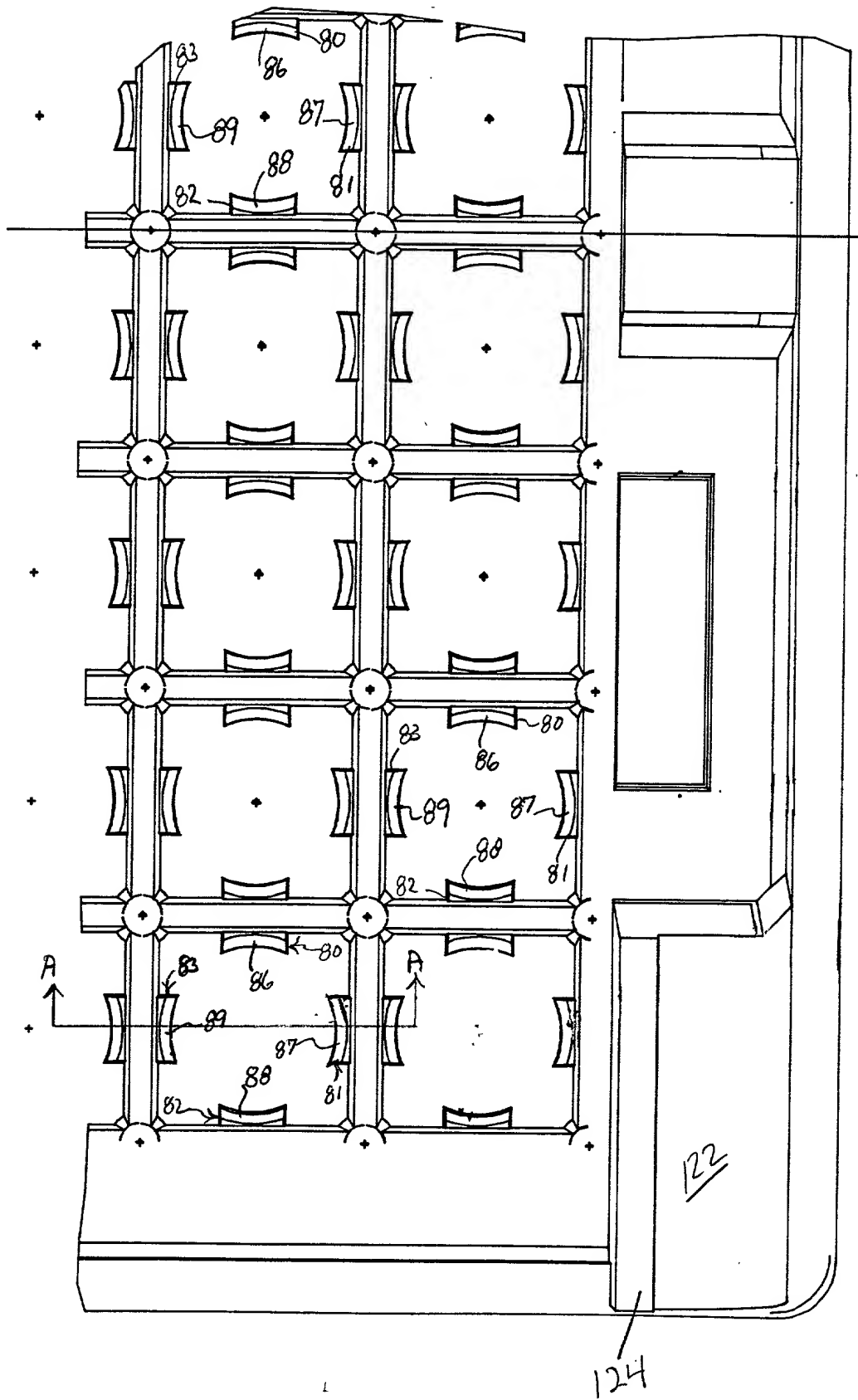


FIG. 7

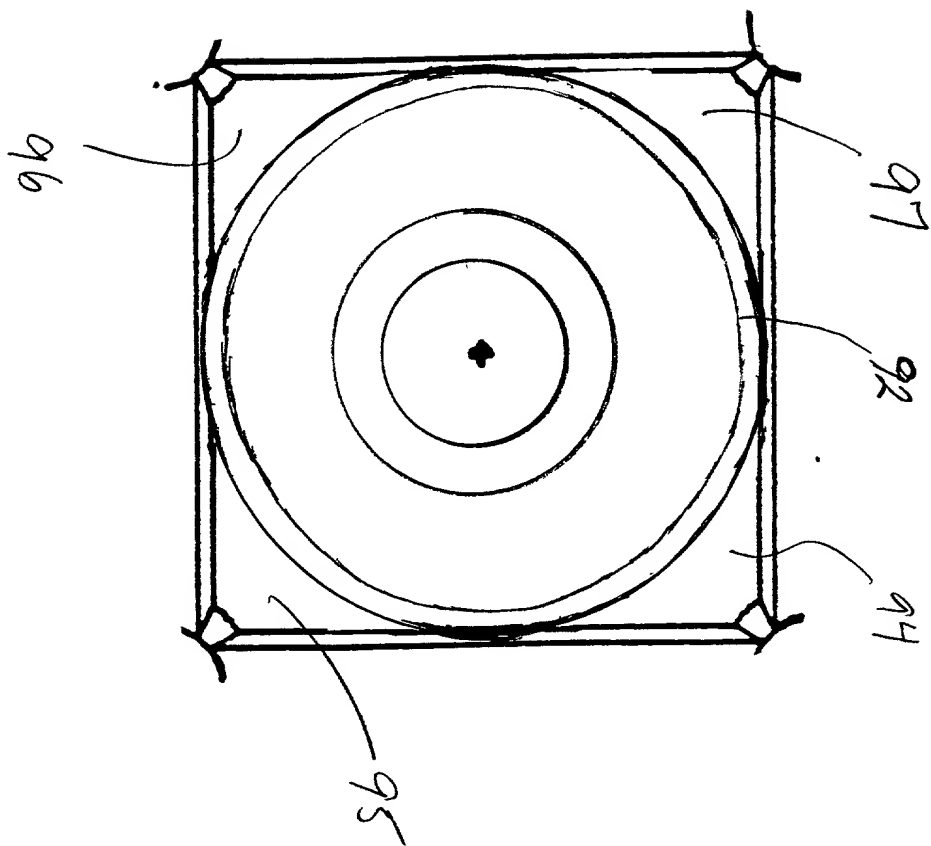


Fig. 8

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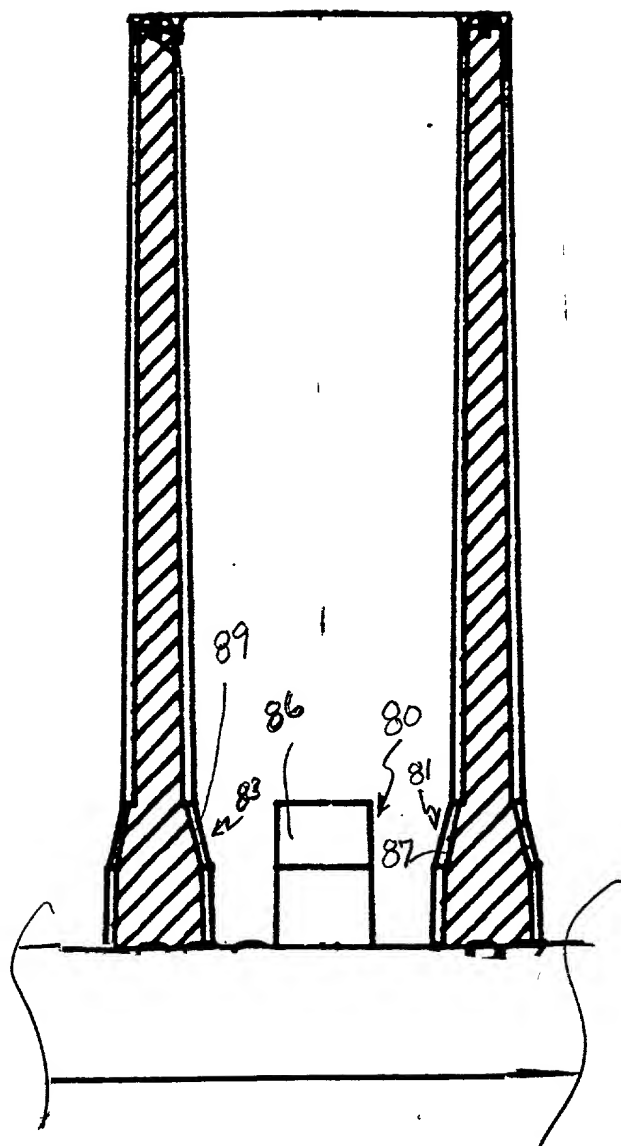


FIG. 9

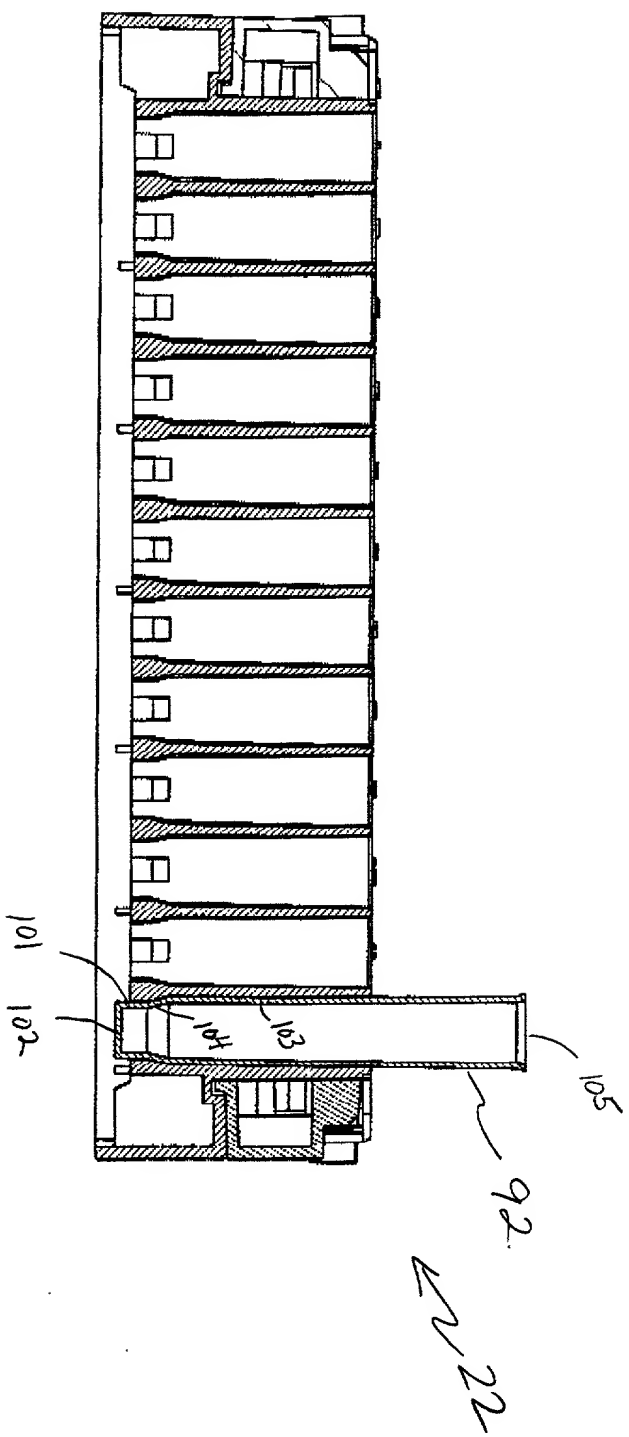


FIG. 10

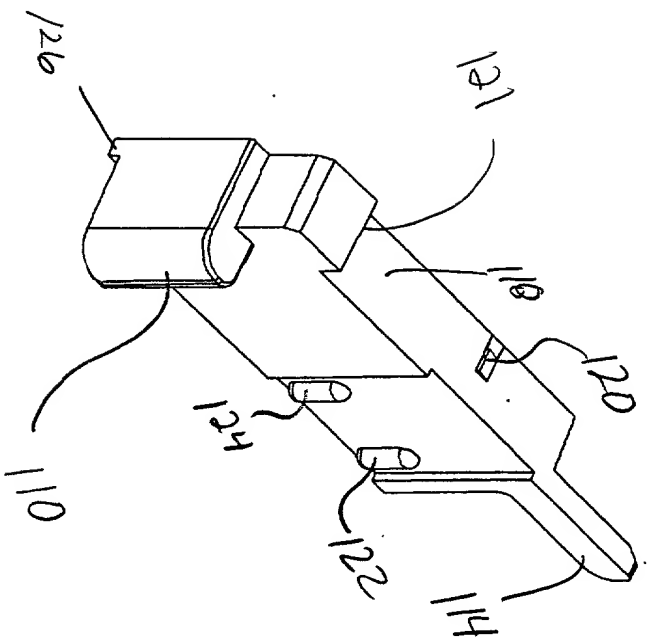


FIG. 11A

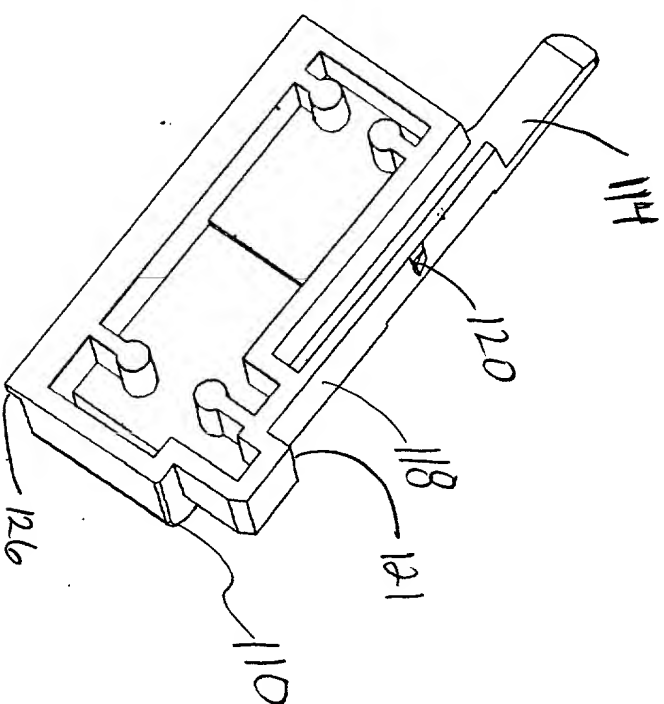


FIG. 11B

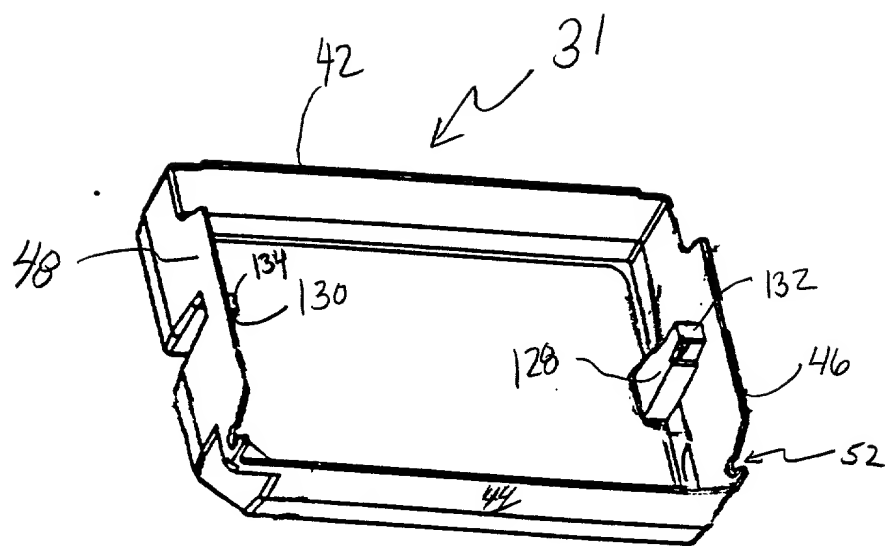


FIG. 12

DECLARATION AND POWER OF ATTORNEY

We, the below named inventors, hereby declare that:

Our residences, post office addresses, and citizenships are as stated below next to our respective names.

We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **TUBE RACK**, the specification of which is attached herewith. This application is a continuation-in-part of co-pending United States Patent Application Serial No. 09/241,490, filed February 2, 1999.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims.

We acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

We hereby declare that all statements are made hereby of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And we hereby appoint:

Maurice E. Gauthier	-	Reg. No. 20,798
Richard L. Stevens	-	Reg. No. 24,445
Matthew E. Connors	-	Reg. No. 33,298
Arlene J. Powers	-	Reg. No. 35,985
William E. Hilton	-	Reg. No. 35,192
Patrick J. O'Shea	-	Reg. No. 35,305
Anthony P. Onello, Jr.	-	Reg. No. 38,572
Steven M. Mills	-	Reg. No. 36,610

all of the firm of Samuels, Gauthier & Stevens, our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

0045796-130999

We request that all correspondence be directed to:

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